



Merrick County Board Minutes



September 24, 2013

The Merrick County Board of Supervisors met Tuesday, September 24, 2013 at 9:05 a.m. in the Supervisors Room, County Courthouse, Central City, NE with Graves, Hahn, Weller, Helgoth, Kucera, and Wiegert present. Jefferson was absent. Also present was County Attorney Lynelle Homolka.

Moved Weller, second Graves to convene as Board of Supervisors at 9:05 a.m. Roll Call: All Ayes

Notice of the meeting was given thereof by publications in the Republican Nonpareil and The Palmer Journal and on the Merrick County website. Proof of publication is filed in the Clerk's Office. Copies of the agenda were mailed to each Supervisor and kept current and available to the public at the County Clerk's Office. Chairman Wiegert declared the meeting was preceded by publicized notice and having acknowledged and identified the location of the posting of the current copy of the Open Meetings Act, called the meeting to order and in open session at 9:05 a.m.

Agenda: Moved Graves, second Hahn to approve the agenda as presented. Roll Call: All Ayes.

Minutes: Moved Graves, second Helgoth to approve the minutes for the Tuesday, September 10, 2013 meeting as presented and published. Roll Call: Ayes: Hahn, Kucera, Helgoth, Graves, and Wiegert. Nays: None. Abstain: Weller.

Meetings: Graves and Wiegert attended the fall Central District Meeting in Kearney on Thursday, September 19, 2013 and Kucera attended the Extension Board meeting on September 10, 2013 and on September 18, 2013 she attended the Mid Nebraska meeting.

Officials report: Kucera said that Tammy Stuhr, Extension Educator, would be closing the Extension Office today for a couple of hours so that the office personnel could attend the funeral for Kyle Frenzen. Clerk Wichmann said the new website for the County should be going up for the public within the week or at least by next week.

Special liquor license: The application for a special liquor license from Jason Van Hoosen DBA Don't Care Bar & Grill for the Saltzgaber/Wichmann wedding reception on Friday, October 4, 2013 at the Riverside Park Pavilion was presented to the Board for approval. Moved Kucera, second Weller to approve the special liquor license from Jason Van Hoosen DBA Don't Care Bar & Grill for the Saltzgaber/Wichmann wedding reception on Friday, October 4, 2013 at the Riverside Park Pavilion. Roll Call: All Ayes.

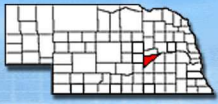
Delinquent taxes: Treasurer Bolte presented the Board with the list of delinquent taxes.

Electrical Agreement: An electrical agreement for Diane Schultz between Sections 20 & 21, Township 15, Range 5 was presented to the Board for approval. It was discovered that the Range should be 4. This agreement was so the Schultz's could water cattle and so the Board said it was alright for Highway Superintendent Meyer to correct the change. Moved Weller, second Helgoth to approve the Electrical Agreement for Diane Schultz between Section 20 & 21, Township 15, Range 4. Roll Call: All Ayes.

Road Closing RESOLUTION 2013-31: RESOLUTION 2013-31 was presented to the Board for approval to close South Depot Street in Section 20, Township 14 North, Range 7 West; South Ford Street from the Southerly side of South Depot Street to the South side of Stark Street; the alley in Block 13, Original Town of Archer; Stark Street from the East side of South Ford Street to the East line of said alley extended South; and South Depot Street in Section 21, Township 14 North, Range 7 West, in Merrick County, Nebraska. FURTHER, said land shall revert one-half to each adjacent landowner. Midland Township relinquished the roads and supports the County's abandonment of the same in writing. Moved Weller, second Graves to approve RESOLUTION 2013-31. Roll Call: All Ayes. RESOLUTION 2013-31 is on file for public viewing in the County Clerk's Office.

Courthouse cleaning: County Attorney Homolka said that Susan Sabatka DBA Brite Express, had given her a copy of her Certificate of Insurance in place of a bond. Homolka felt the certificate was just as good as a bond. Sabatka was present and Kucera told her that she had talked to some of the offices and that Sabatka was doing a very good job. Graves told Sabatka that he and Hahn were going to work on the courthouse scrubber and hopefully would have it fixed after lunch today. Randy Ward, Sabatka's husband was also present to discuss helping his wife and his background check. Homolka had the results of his background check. Moved Kucera, second Graves to go into executive session for the prevention of needless injury to the reputation of an individual to discuss the background check on Randy Ward at 9:35 a.m. Roll Call: All Ayes. Moved Weller, second Graves to go out of executive session at 9:44 a.m. Roll Call: All Ayes. Moved Weller, second Hahn to approve Randy Ward in helping Susan Sabatka, DBA Brite Express cleaning the courthouse. Roll Call: Ayes: Kucera, Graves, Hahn, Weller, and Wiegert. Nays: None. Abstain: Helgoth.

Interlocal for 911 equipment: Emergency Management, Jan Zurcher, and Sheriff Campbell said the company that the current 911 equipment came from is no longer in business, so if it breaks down or they start having problems there is no one to fix or replace parts for the equipment. The Interlocal Cooperative Agreement is with the East Central Region and



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is a 911 Emergency Communications Equipment Sharing Agreement. This agreement is for seven years and would cost Merrick County \$140,000.00. This would be a one time payment. The problem is that no one was made aware of this cost prior to budgets being done so the money was not budgeted. Merrick County is not the only county that does not have this budgeted. Funds from the Wireless E911 Fund can be used towards this as well as advancement from the Public Service Commission of wireless 911 funds if the PSC grants an advancement. Moved Weller, second Graves to approve the Interlocal Cooperation Agreement East Central Region 911 Emergency Communications Equipment Sharing Agreement with the other Counties contingent upon the Public Service Commission granting the advancement of wireless 911 funds. Roll Call: All Ayes.

Road closing hearing: Moved Helgoth, second Kucera to go into the hearing to discuss the closing of 22nd Road from the North R.O.W. line of Hwy 30 at the UPRR crossing going north to State Hwy 92 at 10:37 a.m. Roll Call: All Ayes. Don Hannappel, who lives south of this crossing on Hwy 30 said the traffic study that was done on this crossing was done during a slow time of the year. He feels that the closing of this road will increase his chance of an accident because he would have to go down Hwy 30 with his equipment. The blacktop between Hwy 30 and Hwy 92 needs shoulders and "R" Road needs gravel and needs to be built up. It is now a minimum maintenance road. Bo Hepner with Gavlon Grain said that they have customers that want larger units and they need to be able to load 100 to 110 cars in one string so the Union Pacific can air up and pull them out in one string. Mike Black from the UPRR, said the railroad will give the county \$192,000.00 to put shoulders on the blacktop. The railroad cannot put lights and gates on every crossing. They do it for the protection of the public now. Lights and arms cost hundreds of thousands of dollars for just one crossing. Closing the crossing when loading is not a good option because it can take up to 72 hours to load cars and in the evening the closed crossing would be very difficult to see and someone may run into the train. Moved Weller, second Hahn to close 22nd Road from the North R.O.W. line of Hwy 30 at the UPRR crossing going north to State Hwy 92. Roll Call: Ayes: Graves, Hahn, Weller, and Wiegert. Nays: Helgoth and Kucera. Motion Passed.

Moved Weller, second Hahn that the road will not be closed until 8 foot shoulders are on 21st Road and the proper repairs are made to "R" Road and the land will revert to the adjacent land owners. Roll Call: Ayes: Graves, Hahn, Weller, and Wiegert. Nays: Helgoth and Kucera. Motion Passed.

Mowing: David Galvin has been doing the mowing for Denny since he has been out of work for his injury. Mr. Galvin lives in St. Paul but would come back to Central City to mow the courthouse lawn once a week for \$40.00. County Attorney Homolka said the issue with that is liability because Galvin is not a county employee nor is he a contractor. Moved Weller, second Kucera to contact local businesses to submit bids to mow the courthouse lawn while Denny O'Nele is out with an injury. Roll Call: All Ayes.

Probation: The Board was to discuss a Cooperative Agreement for District 5 Probation between York, Hamilton, Polk, and Merrick Counties but no one showed up and no one has seen an agreement. Moved Weller, second Kucera to table the Probation Agreement and discussion until the next Board meeting and to have a probation representative present and the agreement. Roll Call: All Ayes.

September 2013 payroll: The September 2013 payroll was presented to the Board for approval: General: Gross: \$98,155.89 Net: \$70,381.20 Roads: Gross: \$49,283.96 Net: \$32,468.49 Juvenile Diversion: \$2,331.33 Net: \$2,043.18

Adjourn: Moved Weller, second Helgoth to adjourn at 12:23 p.m. Roll Call: All Ayes.

/s/Roger Wiegert, Chairman

/s/Marcia Wichmann, County Clerk